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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/770,337	01/26/2001	Chad Magendanz	44431/233649	6309

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MICROSOFT CORPORATION  
LAW OFFICES OF RONALD M. ANDERSON  
600 108TH AVENUE N.E., SUITE 507  
BELLEVUE, WA 98004

EXAMINER

ARSHAD, UMAR

ART UNIT	PAPER NUMBER
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2174

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DATE MAILED: 08/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/770,337

Applicant(s)

MAGENDANZ ET AL.

Examiner

Umar Arshad

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 26 February 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

This communication is responsive to Amendment B, filed 2/26/2004.

Claims 1 – 27 are pending in this application. Claims 1, 14, and 27 are independent claims. In the Amendment B claims 1, 14, and 27 were amended. This action is made Final.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

### ***Claim Rejections - 35 USC § 102***

Claims 1 - 27 are rejected under 35 U.S.C. 102(e) as being anticipated by Buxton et al., U.S. Patent No. 6,469,714.

As per claim 1, Buxton et al. (hereinafter referred to as "Buxton") teach a method for providing a selection of properties for an electronic document associated with an application program comprising the steps:

determining a context for the electronic document (see Buxton, column 2, lines 61 – 67)

determining a status of a property for the electronic document (see Buxton, column 7, lines 59 - 64)

based upon the context of the electronic document and the status of the property, creating a palette for the user interface so that the palette comprises a control for an available property (see Buxton column 2, lines 61 – 67 and column 8, lines 30 - 36); and

displaying the palette in conjunction with the electronic document on the user interface such that said palette does not obscure viewing of said electronic document (see Buxton, figures 3A – D and column 6, lines 59 – 67; it is apparent that action bar 322 does not obscure the electronic document 300).

As per claim 2, which is dependent on claim 1, Buxton teaches the method of claim 1 (see rejection above). Buxton further teaches determining a change in the status of the property or the context of the electronic document (see Buxton, column 8, lines 20 – 25);

based upon the change of the property or the change in the property or the change in the context of the electronic document,

modifying the palette to reflect the change in the property or the change in the context of the electronic document (see Buxton, column 8, lines 20 – 25); and

replacing the palette with the modified palette so that the modified palette is displayed in conjunction with the electronic document on the user interface (see Buxton, figure 3A, items 300 and 320 and column 8, lines 20 – 25).

As per claim 3, which is dependent on claim 1, Buxton teaches the method of claim 1 (see rejection above). Buxton further teaches sizing the palette so that the palette and the electronic document can be simultaneously viewed (see Buxton, figure 3A, items 300 and 320 and column 9, lines 55 – 67).

As per claim 4, which is dependent on claim 2, Buxton teaches the method of claim 1 (see rejection above). Buxton further teaches sizing the modified palette so that the palette and the electronic document can be simultaneously viewed (see Buxton, figure 3A, items 300 and 320 and column 9, lines 55 – 67).

As per claim 5, which is dependent on claim 1, Buxton teaches the method of claim 1 (see rejection above). Buxton further teaches coordinating the palette with a predefined interface so that the palette and the predefined interface provide consistent control features (see Buxton figure 2, figure 3A, items 300 and 320 and column 6, lines 43 - 58); and

displaying the predefined interface in conjunction with the palette and the electronic document (see Buxton figure 3A, items 300 and 320).

As per claim 6, which is dependent on claim 2, Buxton teaches the method of claim 2 (see rejection above). Buxton further teaches coordinating the modified palette with a predefined interface so that the palette and the predefined interface provide

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consistent control features (see Buxton figure 2, figure 3A, items 300 and 320 and column 6, lines 43 - 58); and

displaying the predefined interface in conjunction with the modified palette and the electronic document (see Buxton figure 2, figure 3A, items 300 and 320 and column 6, lines 43 - 58).

As per claim 7, which is dependent on claim 1, Buxton teaches the method of claim 1 (see rejection above). Buxton further teaches that the context of the electronic document consists of at least one of the following: textual content, formatting content, or graphical content (see Buxton, column 8, lines 30 – 36).

As per claim 8, which is dependent on claim 1, Buxton teaches the method of claim 1 (see rejection above). Buxton further teaches that the property consists of one of the following: a formatting command, an application program command, or an electronic document characteristic (see Buxton, column 7, lines 29 - 44).

As per claim 9, which is dependent on claim 1, Buxton teaches the method of claim 1 (see rejection above). Buxton further teaches that the user interface comprises a graphical user interface for an application program (see Buxton, column 7, lines 1 - 7).

As per claim 10, which is dependent on claim 1, Buxton teaches the method of claim 1 (see rejection above). Buxton further teaches wherein the user interface comprises a floating palette (see Buxton, column 7, lines 17 – 20).

As per claim 11, which is dependent on claim 1, Buxton teaches the method of claim 1 (see rejection above). Buxton further teaches wherein the user interface comprises a property browser palette window (see Buxton, column 2, lines 47 – 53).

As per claim 12, which is dependent on claim 5, Buxton teaches the method of claim 5 (see rejection above). Buxton further teaches wherein the predefined interface comprises a toolbar (see Buxton, column 7, lines 1 - 7).

As per claim 13, which is dependent on claim 6, Buxton teaches the method of claim 6 (see rejection above). Buxton further teaches wherein the predefined interface comprises a toolbar (see Buxton, column 7, lines 1 - 7).

As per claim 14 – 26, they are of similar scope to claims 1 – 13, respectively, and are rejected under the same rationale (see rejections above).

As per claim 27, it is of similar scope to the combination of claims 1, 2, 3, 4 and 9 and is rejected under the same rationale as claims 1, 2, 3, 4, and 9 (see rejections above).

### ***Response to Arguments***

Applicant's arguments filed 2/26/2004 have been fully considered but they are not persuasive.

As per claim 1, Applicant argues there is no determination of a context as used by applicants' claimed method in Buxton's method. The Examiner disagrees. Buxton teaches "when a user moves the cursor around an object such as a paragraph or a range of cells, the controls in the InfoCenter Property panels update to reflect the new state" (column 8, lines 29 – 41). It is inherent that the context of a document is determined because the InfoCenter updates itself according to different document types. Therefore, Buxton clearly teaches determination of a context as used by applicants' claimed method.

Also in regards to claim 1, Applicant argues that the determination of the status of a property is not taught or suggested by Buxton. The Examiner disagrees. Buxton teaches "Action Items that toggle on or off may show the current status of the selected object, examples include Bold and Italic, as illustrated in Fig. 3D. Action Items that are not available in the current context are dimmed." It is inherent that the status of the text formatting properties is determined because the Action Items display the status of these



properties. Therefore Buxton clearly teaches the determination of the status of a property.

Again in regards to claim 1, Applicant argues that Buxton does not teach that the palette does not obstruct the viewing of the document and is modeless. Buxton clearly shows the palette 322 displayed so as to not obstruct the viewing of the document in figure 3A. In regards to said palette being modeless, this limitation is not discussed in the claim language.

In regards to claim 1, the Applicant further argues that there is no suggestion in Buxton that the dialog box has its properties aligned with a toolbar for coordination and consistency. The Examiner points out that this limitation is not discussed in claim 1, although it is discussed in claims 12 and 13. Furthermore, Buxton shows a consistent interface in all of figures 3A – 4D, therefore it is inherent that the properties of the displayed dialog box are aligned with the toolbar for coordination and consistency.

Finally in regards to claim 1, the Applicant argues that Buxton does not anticipate applicant's method of creating and displaying palettes. The Applicant asserts that "use of an Action Bar as providing access to the most common applet features of an object" does not imply a customized graphic user interface. The Examiner disagrees. The Examiner further points out that this limitation is not discussed in the claim language.

With respect to claim 14, Applicant argues that Buxton does not teach displaying the palette without obscuring the electronic document. The Examiner disagrees. In figure 3A Buxton clearly shows the palette 322 displayed so as to not obstruct the viewing of the electronic document 300.

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Umar Arshad whose telephone number is (703) 305-0329. The examiner can normally be reached on Monday - Friday, 9am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L Kincaid can be reached on (703) 308-0640. The fax phone

number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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*Kristine Kincaid*  
KRISTINE KINCAID  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100